IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

Bail Appl..No. 5815 of 2007()

CRIME NO.401/07 OF MALA POLICE STATION

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PETITIONER/ACCUSED 1 TO 5

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1. FRANCIS, AGED 24,S/O. JOSEPH,
VALIYAPARAMBIL HOUSE,THIRUTHUR,
PUTHENVELIKKARA VILLAGE,ERNAKULAM DIST.

2. THOMAN @ THOMAS, AGED 46, S/O.THOMACHAN,
VALIYAPARAMBIL HOUSE,THIRUTHUR,
PUTHENVELIKKARA VILLAGE,ERNAKULAM DIST.

3. GEORGE,AGED 48,S/O.VAREED,
PULIKEN HOUSE,THIRUTHUR,
PUTHENVELIKKARA VILLAGE,ERNAKULAM DIST.

4. RAVEENDRAN,AGED 55,S/O.KOCHUKUTTAN,
THUPRATH HOUSE,KANNIKULANGARA.

5. THOMSON,AGED53,S/O. OUSEPH,
OLATTUPURAM HOUSE,THIRUTHUR,
PUTHENVELIKKARA VILLAGE,ERNAKULAM -DIST.

BY ADV. SRI.M.H.HANIL KUMAR

RESPONDENTS/COMPLAINANT/STATE:

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1. SUB INSPECTOR OF POLICE,
MALA POLICE STATION, THRISSUR-DIST.
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, COCHIN – 682 031.

2. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, COCHIN – 682 031.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.5815 of 2007

Dated this the 26th day of September 2007

O R D E R

Application for regular bail. The petitioners are accused 1 to 5. They face allegations under the Kerala Abkari Act. The crux of the allegations is that the petitioners were involved in the possession of 290 litres of arrack. Some of the accused were arrested on 21/8/2007. Others were arrested on 23/8/2007. Investigation is not complete. They have no history of any criminal antecedents, submits the learned Public Prosecutor.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioners subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioners can now be enlarged on bail on the following terms and conditions:

i) The petitioners shall not be released on bail on the strength of this order prior to 06/10/2007. The investigating officer shall, in the meantime, make every endeavour to

complete the investigation.

ii) They shall execute bonds for Rs.1,00,000/- (Rupees one lakh only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioners shall make themselves available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months from the date of their release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007